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LAW OFFICES OF JONATHAN ALAN QUINE

By Richard Pask  
Richard Pask

Attorney Docket No. 407E-914026US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Daniel Pinkel, et al.

Application No.: not yet known

Filed: July 24, 2001

For: COMPARATIVE GENOMIC  
HYBRIDIZATION

Examiner: J. Fredman

Art Unit: 1655

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

Applicants respectfully request that the following Preliminary Amendment be considered prior to examination of the above-cited application. Per 37 CFR 1.115(b)(2), this preliminary amendment is being submitted no later than three months from the filing date of the above-identified application.

**AMENDMENT**

Please amend the specification as follows:

IN THE SPECIFICATION

At page 1 delete the entire paragraph headed "RELATED APPLICATIONS," lines 6-17. Please insert the following paragraphs in its place at page 1, line 6:

**--CROSS-REFERENCE TO RELATED APPLICATIONS**

This application is a continuation of Application No. 09/311,835, filed May 14, 1999, which is a continuation of Application No. 08/565,304, filed November 27, 1995, which is a divisional of Application No. 08/223,905, filed April 6, 1994 (now abandoned), which is a

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continuation of Application No. 08/132,172, filed October 6, 1993 (now abandoned), which is a continuation-in-part of Application No. 07/696,948, filed October 20, 1992 (now abandoned), which is a continuation-in part of Application No. 07/846,659, filed March 4, 1992 (now abandoned).--

In addition, please enter the specification amendments shown on the attached supplemental preliminary amendment, pages 1-6, dated April 7, 2000, which was copied from parent application USSN 09/311,835, filed May 14, 1999.

IN THE CLAIMS

Please cancel claims 2-44 without prejudice.

**REMARKS**


No new matter has been added to the application by way of the above amendments.

**CONCLUSION**

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-337-7871.

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Respectfully submitted,

  
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09133150  
10420"3T32T50

## In The United States Patent and Trademark Office

In re Application of:

Assignee: The Regents of the  
University of California

Inventors: Daniel Pinkel et al.

Application No: 09/311,835

Filed: May 14, 1999

For: COMPARATIVE  
GENOMIC  
HYBRIDIZATION (CGH)

Group Art Unit: 1643

Examiner: Not Yet Assigned

Attorney Docket No.: 19629-711 CON4

## Certificate of Mailing Under 37 C.F.R. § 1.8

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*Laurie Oppenheimer*  
Signature of Person Mailing

## SUPPLEMENTAL PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please amend the specification for the above-identified application as follows:

On page 3, line 20, change "the.location" to --the location--.

On page 4, line 12, change "and-detailed" to --and detailed--.

On page 5, line 10, change "RevieW" to --Review--.

On page 5, line 16, after "cultured" delete ",".

On page 5, line 17, change "over" to --Over--.

On page 6, line 21, change "(1982)1" to --(1982)--.

On page 6, line 22, change "proteins@can" to --proteins can--.

On page 7, line 3, change "unekamine" to --unexamined--.

094333-07404

On page 13, line 2, change "of-the" to --of the--.

On page 13, line 3, change "Rb-i" to --Rb-1--.

On page 14, line 19, change "comparisons" to --Comparisons--.

On page 15, line 16, change "sites.when" to --sites when--.

On page 16, line 2, after "metaphase" change "!" to --.--.

On page 17, lines 21 and 22, change "DNAS" to --DNAs--.

On page 26, in between lines 9 and 10, insert --The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawings(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee.--

On page 26, line 17, change "probels" to --probe's--.

On page 26, lines 22-23, change "2oql3-ter" to --20q13-ter--.

On page 26, line 24, change "one" to --One--.

On page 29, line 1, change "The lower portion of Figure 4" to --Figure 4b--.

On page 29, line 20, delete "lower".

On page 29, line 20, change "Figure 4" to --Figure 4b--.

On page 30, line 2, delete "lower".

On page 30, line 2, after "right", insert --portion--.

On page 30, line 2, change "Figure 4" to --Figure 4b--.

On page 30, line 2, change "once" to --Once--.

On page 30, line 9, delete "lower".

On page 30, line 9, after "left", insert --portion--.

On page 30, line 9, change "Figure 4" to --Figure 4b--.

On page 30, line 11, change "Figure 4" to --Figure 4b--.

On page 32, line 8, change "8." to --8--.

On page 32, line 22, change "iNC!" to --JNCI--.

On page 33, line 10, change "chromosomes)" to --chromosome(s)--.

On page 33, line 11, change "Figure 11 illustrates" to --Figure 11a-e illustrate--.

On page 33, lines 13 and 15, change "60OPE" to --600PE--.

On page 34, line 12, change "32OHSR" to --320 HSR--.

On page 34, line 14, change "N-myc" to --N-myc--.

On page 35, line 15, change "16." to --16--.

On page 35, line 17, change "17." to --17--.

On page 35, line 18, change "3C" to --30--.

On page 35, line 19, change "18." to --18--.

On page 35, line 21, change "19." to --19--.

On page 36, line 1, change "20." to --20--.

On page 36, line 1, change "Panel a" to --Left Panel--.

On page 36, line 2, change "Panel b" to --Right Panel--.

On page 37, lines 22 and 24, change "MRNA" to --mRNA--;

On page 37, line 24, change "however," to --However,--.

On page 38, line 3, change "nonPCR" to --non-PCR--.

On page 39, lines 13 and 15, change "MRNA" to --mRNA--.

On page 39, line 16, change "C-DNA" to --c-DNA--.

On page 41, line 1, change "DNAS" to --DNAs--.

On page 41, line 2, after "etc.", insert --,--.

On page 42, line 20, change "genoie" to --genome--.

On page 45, line 40, change "pl." to --Pl.--.

On page 45, line 44, change "NaH2po4" to --NaH<sub>2</sub>PO<sub>4</sub> --.

On page 45, line 44, change "Na2HPO4" to --Na<sub>2</sub>HPO<sub>4</sub>--.

On page 46, line 4, change "Rb-i" to --Rb-1--.

On page 47, line 22, change "one" to --One--.

On page 47, line 24, change "populations)" to --population(s)--.

On page 48, line 4, change "DNA(S)" to --DNA(s)--.

On page 48, line 15, change "populations)" to --population(s)--.

On page 49, line 1, change "Are" to --are--.

On page 49, line 17, change "oncor" to --Oncor--.

On page 50, line 1, change "populations)" to --population(s)--.

On page 51, line 8, change "one" to --One--.

On page 53, line 24, change "is,a" to --is a--.

On page 57, line 8, change "Repetitive," to --Repetitive--.

On page 59, line 18, change "Enzymoloav," to --Enzymology,--.

- On page 59, line 24, change "one" to --One--.
- On page 60, line 4, change "Cot" to --C<sub>0</sub>t--.
- On page 60, line 16, change "Labelina" to --Labeling--.
- On page 65, line 2, change "Research,Laboratories" to --Research Laboratories--.
- On page 65, line 18, change "60OMPE" to --600MPE--.
- On page 66, line 32, change "digoxigenin-11DUTP" to --digoxigenin-11-dUTP--.
- On page 67, line 1, change "chromosomespecific" to --chromosome-specific--.
- On page 67, line 4, change "biotin-14DATP" to --biotin-14-dATP--.
- On page 67, line 7, change "ck17.10" to --ck17.10--.
- On page 67, line 10, change "oncor" to --Oncor--.
- On page 68, line 3, change "LXSSC" to --1XSSC--.
- On page 68, line 3, change "700C" to --70°C--.
- On page 68, line 6, change "370C" to --37°C--.
- On page 68, line 7, change "CaCl2" to --CaCl<sub>2</sub>--.
- On page 68, line 11, change "370C" to --37°C--.
- On page 68, line 12, change "700C" to --70°C--.
- On page 68, line 19, change "Naacetate" to --Na-acetate--.
- On page 68, line 24, change "700C" to --70°C--.
- On page 69, lines 1 and 3, change "370C" to --37°C--;
- On page 69, line 7, change "O.LXSSC" to --0.1XSSC--.
- On page 69, line 13, change "NaH2po4" to --NaH<sub>2</sub>PO<sub>4</sub>--.
- On page 69, line 13, change "Na2HPO4" to --Na<sub>2</sub>HPO<sub>4</sub>--.
- On page 70, line 4, change "10OX" to --100X--.
- On page 70, line 20, change "iSA" to --USA--.
- On page 71, line 22, change "identification-of" to --identification of--.
- On page 73, third row, last column, line 6, change "20qt34" to --20qter--.
- On page 74, lines 11, 13, 14 and 16, change "60OMPE" to --600MPE--.
- On page 74, line 18, change "ip(p22)" to --lp(p22)--.
- On page 74, line 23, after "chromosome" change "T" to "1".
- On page 75, line 23, change "biotin14-dATP" to --biotin-14-dATP--.
- On page 76, line 10, change "gg" to --μg--.

- On page 76, line 10, change "pi" to --μl--.
- On page 76, line 12, change "700C" to --70°C--.
- On page 76, lines 12 and 13, change "370C" to --37°C--.
- On page 76, line 18, change "gg/ml" to --μg/ml--.
- On page 76, line 18, change "pg/ml" to --μg/ml--.
- On page 77, line 2, change "a" to --as--.
- On page 78, line 21, change "32OHSR" to --320 HSR--.
- On page 79, line 23, change "green-tored" to --green-to-red--.
- On page 80, line 6, change "greento-red" to --green-to-red--.
- On page 80, line 23, change "iNC!" to --JNCI--.
- On page 80, line 23, change "60OPE" to --600PE--.
- On page 81, line 1, change "liq" to --l1q--.
- On page 81, line 1, change "60OPE" to --600PE--;
- On page 81, line 3, change "iq" to --lq--.
- On page 81, line 3, change "greento-red" to --green-to-red--.
- On page 81, line 4, change "only" to --Only--.
- On page 81, line 7, change "60OPE" to --600PE--.
- On page 81, line 22, change "ill" to --l1l--.
- On page 82, line 5, change "32OHSR" to --320 HSR--.
- On page 82, line 7, change "green-tored" to --green-to-red--.
- On page 83, line 17, row 2, column 3, change "2Oq13" to --20q13--.
- On page 83, line 31, row 9, column 3, change "17ql2" to --17q12--.
- On page 84, line 8, change "of" to --Of--.
- On page 84, line 17, after "suppressor" insert --.--.
- On page 86, line 1, change "state" to --stage--.
- On page 86, line 4, change "is" to --in--.
- On page 92, lines 16-17, change "of described" to --often described--.
- On page 99, line 11, column 4, change "19p13.1-qter" to --19p13.1-pter--.
- On page 100, lines 23-24, change "hus be" to --has been--.
- On page 100, line 28, after "etc." insert--.--.
- On page 101, line 19, change "3C" to --30--.

On page 104, line 8, change "LOII" to --LOH--.

On page 106, line 3, change "was" to --way--.

On page 107, line 12, change "alos" to --also--.

On page 108, line 17, change "FIS" to --FISH--.

On page 108, line 22, change "Figure 20a" to --Figure 20 (Left Panel)--.

On page 108, line 23, change "Figure 20b" to --Figure 20 (Right Panel)--.

### REMARKS

Claims 1-44 were cancelled in the Preliminary Amendment. Therefore, Claims 45-73 are pending.

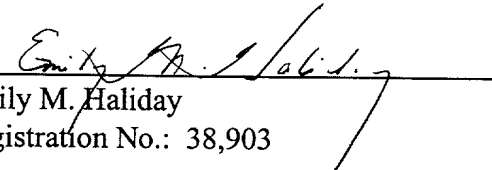
The specification has been amended to correct inadvertent typographical errors. Also, the Brief Description of the Figures in the specification has been amended, where appropriate, to refer to specific panels of multi-panel figures in the Formal Drawings. No new matter is added by these amendments.

If the Examiner has any questions regarding this Amendment, the Examiner is requested to telephone and confer with the undersigned attorney.

Dated: April 7, 2000

Respectfully submitted,

By:

  
Emily M. Haliday

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